

Amendments to the Drawings:

Enclosed are replacement sheets containing Figures 1-13, which replace those sheets currently on file. The Figures have been amended to address the objections raised in the Office Action. More particularly, the drawings have been amended to include reference numerals. Please replace the drawings on file with the Replacement Sheets attached hereto. The replacement sheets include the reference numerals added to the specification. In addition, the phrases written on the drawings have been removed.

REMARKS

Upon entry of this Amendment, claims 1-20 have been cancelled herein and newly submitted claims 21-43 are now presented for examination.

Substitute Specification and Abstract

Applicants submit herewith for filing in this application a substitute specification pursuant to 37 CFR 1.125 in order to address the Examiner's request that the Applicants correct a number of errors in the specification and abstract. The Applicants assert that no new matter is submitted with these amendments.

Formal Drawings

The drawings were objected to as failing to comply with 37 CFR 1.84(p)(5) for including reference characters and/or reference signs not mentioned in the description and, further, for not providing reference numerals in the drawings, or in the specification. Formal drawings are being submitted herewith.

New Claims

The Applicants have cancelled claims 1-20, which the Examiner rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regarded as the invention. In addition, the Applicants submit herewith new claims that address the Examiner's previous concerns. New claims 21-43 are supported by the specification, as originally filed, and, in particular, throughout the previously filed claims, the drawings, and the detailed description, including paragraphs [0007] through [0022] and paragraphs [0038] through [0040] from the published application. Applicants submit that no new matter has been added with these claims. Further, the Applicants submit that these claims recite subject matter that is novel and non-obvious in view of the prior art of record. More particularly, U.S. Patent No. 5,592,832 issued to Herron, which the Examiner references, does not disclose, at least, an outer shell with a first and second inner volume therein, a dividing wall, nor a heat exchanger fluidly connected to one of the first and second inner volumes to further exchange heat between the first and second inner volumes without transferring mass between the first and second inner volumes. Instead, the '832 reference is directed to cryogenic distillation of air using dephlegmation.

Application No. 10/502,450
Reply to the Office action of May 14, 2008

Reconsideration and allowance of the application are respectfully requested. The Commissioner is hereby authorized to charge any additional fees which may be required in this application to Deposit Account No. 06-1135.

Respectfully submitted,

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